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Attorneys for Defendant General Motors LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

MONTEVILLE SLOAN, JR., RAUL SIQUEIROS,
TODD AND JILL CRAWLEY; JOSEPH BRANNAN,
LARRY GOODWIN, MARC PERKINS, DONALD
LUDINGTON, THOMAS SHORTER, DERICK
BRADFORD, GABRIEL DEL VALLE, KEVIN
HANNEKEN, EDWIN AND KATELYN DOEPEL,
DAN MADSON, JAMES FAULKNER, JOSEPH
OLIVIER, SCOTT SMITH, ROSS DAHL, DREW
PETERSON, MICHAEL WARE, STEVE KITCHEN,
BARBARA MOLINA, DENNIS VITA, STEVEN
EHRKE, THOMAS GULLING, RONALD JONES,
MIKE WARPINSKI, WILLIAM MARTELL, JOHN
GRAZIANO, JOSHUA BYRGE, RUDY SANCHEZ,
CHRISTOPHER THACKER, RANDY CLAUSEN,
KELLY HARRIS, JAMES ROBERTSON, and JONAS
BEDNAREK, individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

GENERAL MOTORS LLC,

Defendant.

Case No. 3:16-cv-07244-EMC

**STIPULATION AND ORDER RE
BRIEFING OF MOTION TO
DISMISS SECOND AMENDED
COMPLAINT AND CASE
MANAGEMENT CONFERENCE**

WHEREAS, the Court, on August 1, 2017, issued an Order granting the motion of defendant General Motors, LLC (“GM”) to dismiss plaintiffs’ First Amended Class Action Complaint, with leave to amend (Dkt. No. 62);

WHEREAS, plaintiffs, on August 31, 2017, filed their Second Amended Class Action Complaint (Dkt. No. 67);

WHEREAS, GM's response to the Second Amended Complaint presently is due on September 14, 2017 pursuant to Rule 15(a)(3);

WHEREAS, the 231-page, 1,753-paragraph Second Amended Complaint includes seven new plaintiffs, two new states, and 113 separate causes of action (not including claims for breach of express warranty that plaintiffs have included “strictly to preserve them for purposes of appeal,” *see* SAC p. 59 n. 40);

WHEREAS, GM intends to move under Rule 12 to dismiss the Second Amended Complaint and has requested additional time to prepare the Motion;

WHEREAS, plaintiffs anticipate the need for additional time to prepare an Opposition to the motion;

WHEREAS, the parties have agreed, subject to the Court's approval, upon the following:

1. GM shall have until October 10, 2017 to file its Motion to dismiss the Second Amended Complaint;

2. Plaintiffs shall have until November 15, 2017 to file their response in Opposition to GM's Motion;

3. GM shall have until ~~December 1, 2017~~ to file any Reply in further support of its Motion;

4. The hearing on GM's Motion shall be set on any later date that is convenient for the Court; December 14, 2017 at 1:30 p.m.

5. The following page limits shall apply to the briefing of GM's Motion:

Motion: thirty-five (35) pages [GM intends to try to limit its Motion to 25 pages]

Opposition: thirty-five (35) pages

